

000FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE REV. 2/01T		CUSTOMER NO. 22,852 ATTORNEY'S DOCKET NUMBER 08140.0006 U.S. APPLICATION NO. (If known, see 37CFR1.5) 107540521
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/JP2003/016580	December 24, 2003	December 25, 2002
TITLE OF INVENTION: A METHOD OF THERAPY FOR DEGENERATIVE INTERVERTEBRAL DISCS (AS AMENDED)		
APPLICANT FOR DO/EO/US: Hirotaka HARO		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C 371.	
2.	<input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.	
4.	<input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).	
5.	<input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a.	<input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).
	b.	<input checked="" type="checkbox"/> has been communicated by the International Bureau.
	c.	<input type="checkbox"/> is not required, as the application was filed with the United States Receiving Office (RO/US).
6.	<input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).	
	a.	<input checked="" type="checkbox"/> is attached hereto.
	b.	<input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4).
7.	<input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
	a.	<input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).
	b.	<input type="checkbox"/> have been communicated by the International Bureau.
	c.	<input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.
	d.	<input checked="" type="checkbox"/> have not been made and will not be made.
8.	<input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).	
9.	<input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).	
10.	<input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).	
Items 11 to 20 below concern document(s) or information included:		
11.	<input checked="" type="checkbox"/> Information Disclosure Statement under 37 CFR 1.97 and 1.98	
12.	<input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input checked="" type="checkbox"/> A FIRST preliminary amendment.	
14.	<input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.	
15.	<input type="checkbox"/> A Substitute specification.	
16.	<input type="checkbox"/> A change of power of attorney and/or address letter.	
17.	<input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.	
18.	<input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154 (d)(4).	
19.	<input type="checkbox"/> A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).	
20.	<input checked="" type="checkbox"/> Other items or information:	
	a.	<input checked="" type="checkbox"/> Copy of cover page of International Publication No. WO 2004/058296 A1.
	b.	<input type="checkbox"/> Copy of Notification of Missing Requirements.
	c.	<input checked="" type="checkbox"/> Petition to Submit Color Photographs Under 37 C.F.R. 1.84 § (b)(2).
	d.	<input checked="" type="checkbox"/> Three sets of Color Photographs for Figures 2-14.

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21. <input checked="" type="checkbox"/> The following fees are submitted:				
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):			\$300.00	
National Stage Search Fee.....			\$500.00	
National Stage Examination Fee.....			\$200.00	
ENTER APPROPRIATE BASIC FEE AMOUNT = \$1000.00				
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	Number of additional 50 or fraction thereof (rounded up to a whole number)	Rate	
39 - 100 =	/50=		x 250.00	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	4	- 20 = 0	x \$50.00	
Independent Claims	1	-3 = 0	x \$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	
TOTAL OF THE ABOVE CALCULATIONS = \$1000.00				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				
SUBTOTAL = \$1000.00				
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)).			<input type="checkbox"/> 20 <input type="checkbox"/> 30	\$
TOTAL NATIONAL FEE = \$ 1000.00				
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				
+ \$40.00				
Petition to Submit Color Photographs Fee \$130.00				
TOTAL FEES ENCLOSED = \$ 1170.00				
Amount to be refunded: \$				
charged: \$				
a. <input checked="" type="checkbox"/>	A check in the amount of \$ <u>1170.00</u> to cover the above fees is enclosed.			
b. <input type="checkbox"/>	Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed.			
d. <input type="checkbox"/>	Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, NW Washington, D.C. 20001-4413 EFC/FPD/sci DATED: June 24, 2005				
 SIGNATURE Ernest F. Chapman/25,961				
NAME/REGISTRATION NO.				